

1 UNITED STATE DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
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4 ANDREW SHALABY,

5 Plaintiff,

6 vs.

7 NEWELL RUBBERMAID, INC.,

8 Defendants.  
9 \_\_\_\_\_/

COPY

No. C06-07026 CW

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11  
12 SONIA DUNN-RUIZ  
13  
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15

16 Taken before TIFFANY D. DEUSEBIO

17 A Certified Shorthand Reporter

18 In and for the State of California

19 CSR No. 9086, RPR, CRR

20 October 16, 2007  
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23 DIABLO VALLEY REPORTING SERVICES  
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(925) 930-7388

1 A. No.

2 Q. No, you don't know; or, no, he did not lose  
3 consciousness?

4 A. He did not.

5 Q. And how do you know that?

6 A. Because I was standing there.

7 Q. Besides your husband, has anyone else described  
8 for you their observation of the accident?

9 A. No.

10 Q. Do you recall hearing any statements by anyone  
11 on the scene of the accident about the accident?

12 A. No.

13 Q. Where were your children after the accident?  
14 You described your son as standing next to you. And  
15 your daughter?

16 A. She was asleep. My son saw my husband on fire  
17 from the RV.

18 Q. Is your son making a claim in this case?

19 A. No, he's not.

20 Q. Did your son tell you any observations he made,  
21 whether it be sounds that he heard or anything he saw in  
22 relation to the accident?

23 A. He told me he heard the hiss, and he told me he  
24 saw Dad on fire running.

25 Q. Ms. Dunn-Ruiz, as you may already know,

1 Mr. Robert Price, one of the paramedics on the scene of  
2 the accident, had made an entry into his report that,

3 "Patient was kicking around a propane torch.  
4 It went into the fire, blew up and burned him."

5 Do you have any reason to believe that Mr. Price  
6 was being untruthful when he made that entry?

7 MR. EPSTEIN: Objection. Vague and ambiguous.  
8 Overly broad.

9 THE WITNESS: I don't know why he made such a  
10 statement, but it was not kicked into the fire.

11 BY MS. HUANG:

12 Q. Park Ranger Stevens testified that he heard your  
13 husband saying, "I'm an idiot. I can't believe I'm so  
14 stupid. This is all my fault."

15 Do you have any idea if your husband made that  
16 statement?

17 A. I did not hear that statement.

18 Q. Okay.

19 Do you have any reason to believe that  
20 Ranger Stevens was being untruthful when he made that  
21 statement?

22 MR. EPSTEIN: Objection. Vague and ambiguous.  
23 Calls for speculation.

24 THE WITNESS: I don't know why he made the  
25 statement. I did not hear it, so I cannot comment on

1 it.

2 BY MS. HUANG:

3 Q. One of the park rangers that came on the scene  
4 of the accident apparently has spoken to campers at the  
5 scene of the accident. And I think one or more of the  
6 campers made the observation that your husband was  
7 banging the accident torch and cylinder against a hard  
8 surface. Do you have any idea why they would make such  
9 a statement?

10 MR. EPSTEIN: Objection. Object to the  
11 question. Lacks foundation. Misstates prior testimony  
12 of the witnesses and calls for speculation of this  
13 witness.

14 THE WITNESS: I have no idea why they would make  
15 such statements.

16 BY MS. HUANG:

17 Q. After your husband was transported to the  
18 emergency room, describe for me who remained at the  
19 scene of the accident.

20 A. I remained at the campsite with the children.

21 Q. Did anyone else stay after your husband was  
22 transported away?

23 A. I don't know. I took the computer, the bottle  
24 of wine and my son and went inside the RV and closed the  
25 door. I have no idea what happened outside afterwards.